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must be shown to be clear and unequivocal. "It is one thing not to assert an intention to use a way, and another thing to assert an intention to abandon it." Sir Edward Fry in *James v. Stevenson*, 18 A. C. 162; *Johnson v. Stitt*, 21 R. I. 429. If the dominant owner has led others to believe the way to be abandoned, he will be estopped to claim the easement. *Trimble v. King*, 131 Ky. 1. In the principal case, there could be no estoppel, since the dominant owner constantly protested.

EASEMENTS—USE OF WALL FOR ADVERTISING—IRREVOCABLE PRIVILEGE.—Plaintiff contracted in writing with the defendant, for the privilege to paint and maintain signs upon the walls of defendant's building. In an action for an injunction restraining the defendant from interfering with this privilege, *held*, the authority or right to use the walls in question was not merely permissive, but amounted to the grant of a right in the nature of an easement and was not a mere revocable license. *Thomas Cusack Co. v. Myers* (Iowa, 1920), 178 N. W. 401.

There was no dominant estate in this case and if an easement existed, it must be an easement in gross. Easements in gross are generally recognized in this country and are not revocable at will. *New York v. Law*, 125 N. Y. 380. The courts have had great difficulty in distinguishing between easements in gross and mere licenses. See 27 YALE L. JOUR. 66. The right to place advertising on walls has been held to imply a right of way upon the land sufficient to create a burden in the nature of an easement. *Willoughby v. Lawrence*, 116 Ill. 11. If the right is granted in the form of a lease, and involves possession of the land, it is treated as a lease. *C. J. Gude Co. v. Farley*, 58 N. Y. Sup. 1036. Most of the advertising cases in the books involve sign-boards. One can have an easement for the support of a sign-board from a wall just the same as if it were supported from the soil direct. *Moody v. Steggles*, 12 Ch. D. 261. A mere naked license is founded upon personal confidence and is therefore not assignable. *Morrill v. Mackman*, 24 Mich. 282. The courts that maintain that the facts in the principal case constitute a license frequently hold that an executed license for a term and for a consideration cannot be revoked. *Levy v. Louisville Gunning System*, 121 Ky. 510; 18 AM. & ENG. ENCY. [2d Ed.] 1144.

EVIDENCE—DISCOVERY OF DOCUMENTS—PRIVILEGE—Plaintiffs, in a claim for an estate, make application for the production of certain documents. Defendants, who are the executors of the estate, claim professional privilege for the documents, as they were written by one of the executors in his professional capacity of attorney, for the use of the executors, and further, that fraud of attorney and client has not been sufficiently alleged. *Held*, the communications were privileged. *O'Rourke v. Darbishire*, [1920] A. C. 581.

The House of Lords passes squarely on the question of whether professional privilege is not displaced by the fact that the solicitor consulted is himself one of the trustees, and is acting as professional adviser to himself and his co-trustees. In *Re Postlethwaite*, 35 Ch. D. 722, North, J., was of the opinion that such a communication was not privileged, but the Lords, in the